



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

TIDEWATER REGIONAL OFFICE

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Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

Maria R. Nold
Regional Director

Permit No.: VPA01082

Effective Date:

Expiration Date:

AUTHORIZATION TO MANAGE POLLUTANTS UNDER THE

VIRGINIA POLLUTION ABATEMENT PERMIT

AND

THE VIRGINIA STATE WATER CONTROL LAW

In compliance with the provisions of the State Water Control Law and the Board's Permit Regulation adopted pursuant thereto, the following owner is authorized to manage pollutants in conformity with the application, plans, specifications and supporting data submitted to the Department of Environmental Quality and other conditions set forth in this permit.

Owner: Kuzzens, Incorporated

Owner Address: 3769 Grapeland Circle, Exmore, VA 23550

Facility Name: Kuzzens-Mappsville North Packing Plant, Mappsville, VA

The authorized pollutant management shall be in accordance with this cover page, Part I - Monitoring Requirements and Special Conditions, Part II - Conditions Applicable to All VPA Permits, as set forth herein.

Maria R. Nold

Date

A. MONITORING REQUIREMENTS

- During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to manage pollutants from the wastewater used to spray irrigate the field area at the permitted site.
- The pollutants shall be limited and monitored by the permittee as specified below:

SPRAY IRRIGATION WASTEWATER

PARAMETERS	LIMITATIONS		UNITS	MONITORING REQUIREMENTS [a]	
	Average	Max		Frequency	Sample Type
Flow	NL	NL	MGD	1/Day	Measured
Total Volume Applied	NA	NL	MG	Monthly [a]	Calculated
Application Rate [b]	NA	0.25	in/hour	1/Application	Measured
Application Rate [b]	NA	1.0	in/day	1/Application	Day Measured
Application Rate [b]	NA	2.0	in/wk.	1/Week	Measured
pH	6.0 (min)	9.0	S.U.	2/Month	Grab
Total Dissolved Solids (TDS)	NL	NL	mg/l	2/Month	Grab
Chlorides	NL	NL	mg/l	2/Month	Grab
TKN	NL	NL	mg/l	2/Month	Grab
TKN	NL	NL	lbs/acre	2/Month	Calculated
Ammonia Nitrogen (NH ₃ -N)	NL	NL	mg/l	2/Month	Grab
Ammonia Nitrogen (NH ₃ -N)	NL	NL	lbs/acre	2/Month	Calculated
Nitrate Nitrogen (NO ₃ -N)	NL	NL	mg/l	2/Month	Grab
Nitrate Nitrogen (NO ₃ -N)	NL	NL	lbs/acre	2/Month	Calculated
Available Phosphorus	NL	NL	mg/l	2/Month	Grab
Available Phosphorus	NL	NL	lbs/acre	2/Month	Calculated
Available Potassium	NL	NL	mg/l	2/Month	Grab
Available Potassium	NL	NL	lbs/acre	2/Month	Calculated
Dissolved Copper	NL	NL	ug/l	2/Month	Grab

SPRAY IRRIGATION WASTEWATER (Continued)

<u>PARAMETERS</u>	<u>LIMITATIONS</u>		<u>UNITS</u>	<u>MONITORING REQUIREMENTS</u>	
	<u>Average</u>	<u>Max</u>		<u>Frequency</u>	<u>Sample Type</u>
Dissolved Zinc	NL	NL	ug/l	2/Month	Grab
Plant Available Nitrogen (PAN)	NA	[c]	lbs/acre	1/Month [d]	Calculated
Plant Available Nitrogen (PAN)	NA	[c]	lbs/acre/yr	1/Year [d]	Calculated
Pesticide Scan (EPA method 608) [e] NA	NA	NL	ug/l	1/Year	Grab

NA = Not Applicable

NL = No limit, this is a monitoring requirement only.

Monthly spray irrigation/land application monitoring reports (DMRs) for the **off season of November through April** are not required to be submitted to the regional office at the frequency required by the permit if there has been no activity at the facility or the fields during one of those months. Other requirements such as annual reports are due in accordance with deadlines stated in the permit.

3. Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s): Storage tank prior to land application.
4. Except for pH monitoring, which is to be reported as a range, the owner shall report the monthly average and the maximum of each parameter should more than one sample be taken.
5. See Attachment A for identification of the land application site.

[a] See Part I.C.1.

[b] See Part I.C.2. (maximums) and Part I.C.10.

[c] Reference maximum PAN limitations in Attachment C for fescue pasture-productivity level 3.

[d] See Part I.C.9. and Part 1.C.10. - nitrogen supplementation and PAN loading calculations, respectively.

[e] See Part I.C.12.

A. MONITORING REQUIREMENTS

1. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to manage pollutants at the wastewater application site: Ground Water Well Nos. 1 and 2.
2. The pollutants shall be limited and monitored by the permittee as specified below:

GROUNDWATER MONITORING

<u>PARAMETERS</u>	<u>LIMITATIONS</u> <u>MAXIMUM</u>	<u>UNITS</u>	<u>MONITORING REQUIREMENTS</u>	
			<u>Frequency</u>	<u>Sample Type</u>
Static Water Level	NL	0.01 ft	1/Year	Measured
pH	NL	Std. Units	1/Year	Grab
Nitrate-Nitrogen	NL	mg/l	1/Year	Grab
Total Dissolved Solids (TDS)	NL	mg/l	1/Year	Grab
Chlorides	NL	mg/l	1/Year	Grab
Total Organic Carbon (TOC)	NL	mg/l	1/Year	Grab
Total Recoverable Copper	NL	ug/l	1/Year	Grab
Total Recoverable Zinc	NL	ug/l	1/Year	Grab
Pesticide Scan [a]	NL	ug/l	1/4 Years	Grab

NL = No limit, this is a monitoring requirement only.

[a] See Part I.C.12. Scan must utilize EPA method 608 with electron capture detector and a nitrogen phosphorus detector.

1/Year = In accordance with the following schedule: Sample in September; report due January 10th with annual report.

1/4 Years = In accordance with the following schedule: Sample in August 2015, August 2019 and August 2023; reports are due the January 10th following each sampling event.

Grab Samples = An individual sample should be taken after three (3) well volumes of groundwater are removed (allowing the well to recharge between each well volume removed) or until well purging parameters (i.e., pH, temperature, and specific conductance) stabilize to ± 10%. The bailer or hose used should not contaminate samples.

A. MONITORING REQUIREMENTS

1. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to manage pollutants at the wastewater application site: See Attachment A for identification of the land application site.
2. The pollutants shall be limited and monitored by the permittee as specified below:

SOILS MONITORING

PARAMETERS	LIMITATIONS		UNITS	MONITORING REQUIREMENTS	
	Average	Max		Frequency	Sample Type
Soil pH	NL	(min) 6.5[a]	Std. Units	1/Year	Composite
Available Phosphorus	NA	NL	mg/kg	1/Year	Composite
Exchangeable Potassium	NA	NL	mg/kg	1/Year	Composite
Total Nitrogen	NA	NL	mg/kg	1/Year	Composite

NA = Not Applicable

NL = No limit, this is a monitoring requirement only.

1/Year = Sampling shall be accomplished in **August** with results due with the annual report January 10th.

[a] See Part I.C.7.

3. Composite = samples shall be representative of the soil types delineated by the SCS Soil Survey (or the equivalent). A representative composite sample shall be comprised of at least 10 cores. Samples shall be taken at 4-6 inches soil depth for each application site. Sampling protocol shall be outlined accordingly in the revised O & M Manual.
4. Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s): See **Attachment A**

B. Other Requirements or Special Conditions

1. Stormwater Discharge Exception

All pollutant management activities covered under this permit shall maintain no point source discharge of pollutants to surface waters except in the case of a storm event greater than the 25-year, 24-hour storm. The operation of the facilities of the owner permitted herein shall not contravene the Water Quality Standards, as adopted and amended by the Board, or any provision of the Water Control Law.

2. Materials Handling/Storage

Any and all product, materials, industrial wastes, and/or other wastes resulting from the purchase, sale, mining, extraction, transport, preparation and/or storage of raw or intermediate materials, final product, by-product or wastes, shall be handled, disposed of and/or stored in such a manner so as not to permit a discharge of such product, materials, industrial wastes and/or other wastes to State waters, except as expressly authorized.

3. Operations & Maintenance Manual (O & M)

The owner shall maintain an O & M Manual for the treatment works/pollutant management system permitted herein. This manual shall reflect the practices and procedures, including applicable Best Management Practices (BMPs), followed by the permittee to ensure compliance with the requirements of this permit. Facility operations in the manual will include a narrative that wastewater shall be applied uniformly the entire length of the application field, so that the north end of the site receives equal distribution and loading. Any changes in those practices and procedures shall be documented and submitted for staff approval within 90 days of the effective date of the changes. Upon approval of the submitted manual changes, the revised manual becomes an enforceable part of the permit.

Revised Manual Due: 90 days from the effective date of the permit; no later than June 10, 2015

4. Vegetative Cover

The permittee shall maintain a complete and healthy vegetative cover of grasses on in-service wastewater land application sites through liming, gypsum amendments, fertilization, reseeding and weed control, as necessary.

C. Site Specific Special Conditions

1. Application To Approved Sites

Wastewater shall be applied only at the sites identified in

Attachment A.

2. Application Rates

Wastewater shall not be applied at rates that exceed 0.25 in/hour, 1.0 in/day maximum and 2.0 in/week maximum. At no time shall wastewater be surface applied at a hydraulic loading rate greater than 14,000 gallons/acre (0.5 in. depth) in a single application pass or procedure.

3. Operational Requirements: For all land treatment of wastewater, the following are required:

- a. There shall be no application of wastewater to the ground when it is saturated, frozen or covered with ice or snow, and during periods of rainfall.
- b. The chosen method of wastewater application shall minimize human contact with the wastewater.
- c. Application or irrigation systems used for land treatment of wastewater shall be designed, installed and adjusted to:
 1. Provide uniform distribution of wastewater over the land treatment site,
 2. Prevent ponding or pooling of wastewater at the land treatment site,
 3. Facilitate maintenance and harvesting of the land treatment site and precludes damage to the application or irrigation system from the use of maintenance or harvesting equipment,
 4. Prevent aerosol carry-over from the land treatment site to areas beyond the setback distances described in Part I.C.5. (buffer zones); and
 5. Prevent clogging from algae or suspended solids.
- d. Any wastewater runoff shall be confined to the land application site.

4. Annual Project Summary Report

An annual project summary report shall be prepared and submitted to the Tidewater Regional Office by **January 10th of each year**. The report shall include:

- a. A summary of the monitoring data results including wastewater analysis, soil monitoring, groundwater monitoring, and pesticide scan testing results.
- b. The yearly water balance showing such items as inputs/drawdown from storage facilities, rainfall and application rates.
- c. Land application site information describing the wastewater applied to each field during the previous year with the

- annual and cumulative loadings of limiting constituents (such as nitrogen and metals) and the remaining site life for each field.
- d. A summary of the agronomic practices which occurred during the preceding growing season including but not limited to the timing and number of crop cuttings and an estimate of total crop yield (bushel/acre or tons/acre) removed from the site, any lime and fertilizer additions made to the site (describe type and quantities) and reseeding.
 - e. A summary of the results from all spreader tanker calibrations performed over the past year which includes, but shall not be limited to, the calibration method used, spreader settings and vehicle speed required to comply with all application rate restrictions in the permit. A minimum of one calibration a season is required, if equipment remains the same and a minimum of three calibrations per season is required for new spreader tanker equipment introduced.
 - f. A discussion of compliance with the facility's Nutrient Management Plan which may include nitrogen supplementation and/or soil amendment requirements.

5. Buffer zones*

Buffer zones shall be maintained as follows:

- a. Distance from improved roadways 25 feet
- b. Distance from occupied dwellings 200 feet
- c. Distance from water supply wells or springs 100 feet
- d. Distance from surface water courses
(for surface application) 50 feet
- e. Distance from property lines
(for surface application) 100 feet**
unless reduced by adjoining property owners) **
- f. Distance from artificial agricultural drainage
ditches whose primary purpose is to lower the
seasonal high water table and where slopes are less
than or equal to 2%
 - (surface applied wastewater) 10 feet
 - (surface applied culls) 20 feet

*Buffer zones are areas which are not subjected to wastewater, whether by irrigation, overspray, windblown mist, runoff or other means.

** Reductions agreed to by adjoining property owner should be in writing.

6. Wind Restrictions

Land Application of wastewaters shall not occur during winds of

sufficient strength to cause overspray or drifting of aerosols into or beyond the buffer zones listed in Part I.C.5.

7. Soil pH at Wastewater Application Sites

The soil pH at land application sites shall be adjusted with gypsum or lime, if necessary, to meet a pH approximating 6.5 S.U. (maximum).

8. Crop Harvesting Requirement

During the **period of June 1 through August 31**, the permittee shall cut fescue grass grown on the land application site weekly and shall prevent thatch buildup or matting. This requirement shall be included in the operations and maintenance manual.

9. Nutrient Management Plan (NMP)

The permittee shall apply a supplemental nitrogen source, if recommended, to the crops at the land application site(s) (wastewater and cull fields) in accordance with the rates recommended by the Nutrient Management Plan.

10. Wastewater Application Rates, PAN Rates and Soil Productivity Group

The application of wastewater together with any other source of plant available nitrogen (PAN) shall not exceed the agronomic loading rate for the crop(s) grown on each site as detailed in the table in Attachment C (fescue pasture @ productivity class 3 utilizes 130 lbs PAN/acre). PAN calculations should be made using the results from the most recent season's wastewater samples. The resulting application rates shall be **included in the annual summary report due each January 10th** to the Department of Environmental Quality Tidewater Regional Office.

11. Ground Water Monitoring Plan

The permittee shall submit a groundwater monitoring plan within 90 days of permit issuance which will state that **sampling shall be performed each August and include the parameters stipulated in Part I.A. of this permit. A pesticides scan (EPA method 608)** with electron capture detector and a nitrogen phosphorus detector shall be performed on the groundwater samples **every 4 years**. The purpose of this plan is to determine if the system integrity is being maintained and to indicate if activities at the site are resulting in violations of the Board's Ground Water Standards. The approved plan is an enforceable part of the permit. Any changes to the plan must be submitted for approval to the Tidewater Regional Office

If monitoring results indicate that any unit has contaminated the

ground water, the permittee shall submit a corrective action plan within 60 days of being notified by the regional office. The plan shall set forth the steps to be taken by the permittee to ensure that the contamination source is eliminated or that the contaminant plume is contained on the permittee's property. In addition, based on the extent of contamination, a risk analysis may be required. Once approved, this plan and/or analysis shall be incorporated into the permit by reference and become an enforceable part of this permit.

12. Pesticides - Wastewater Monitoring

The permittee shall conduct, **within the first two weeks of seasonal washing operations, an annual pesticide scan** using EPA Method 608 with electron capture detector and a nitrogen phosphorus detector to determine the presence of agricultural pesticides in the wastewater prior to land application. Results shall be submitted with the annual project summary report due January 10th.

13. Solids Disposal

- a. All organic solids resulting from the vegetable processing operation, shall be disposed of daily by spreading at no more than 2 potatoes in height and disking the material evenly into the soil within 48 hours or as soon as practical in the event of adverse weather conditions. The solids disposal location will be limited to the acre area identified in the permit application. No solids disposal shall occur at the spray irrigation site.
- b. The pH at all of the waste potato disposal sites shall be checked before application begins each year. The soil pH shall be adjusted to 6.0-6.5 SU (maximum) before application of the waste begins. The pH shall also be checked at the end of the disposal season and adjusted to 6.0-6.5 SU, if necessary. Documentation is required and shall be maintained for inspection.
- c. A winter cover crop shall be planted at all waste disposal sites no later than November 15 of each disposal year.
- d. A minimum buffer zone of fifty (50) feet shall be established for all nearby watercourses (intermittent or free flowing streams and wetland areas) and no less than twenty (20) feet from agricultural ditches or swales. No organic solids or resulting runoff from said solids shall be allowed to reach State waters by natural or other means.
- e. A record of disposal dates, location and approximate quantity shall be maintained by the permittee for staff inspection and

a copy of the record shall be provided **with the annual summary report due January 10th.**

14. Wastewater Characterization and Site Life/Balance Calculations

If not performed previously, 1) the permittee shall conduct, within the first 2 months of active operation following permit reissuance, a wastewater characterization by analyzing for the applicable parameters listed on pages C.1.4.through C.1.7. of VPA Form C. Include all applicable pesticides and herbicides believed present; 2) Land requirements/site life and balance calculations from 2009 need to be updated when current data becomes available (required on Page C-11.2, Appendix V of application (acres required based on balance calculations for each parameter, including metals and hydraulic loadings)).

ATTACHMENT A

Summary of Currently Approved Land Application Sites for Washwater

Permittee's Name: KUZZENS, INC ., Mappsville, VA

Owner's Name: Gerard B. O'Dell, Jr., Chief Farming Officer

<u>Site Location</u>	<u>Operator & Owner</u>	<u>Field Designation*</u>	<u>Net Acres</u>	<u>Field Productivity Class for grass hay</u>	<u>percent</u>
Mappsville, Accomack Co., Kuzzen's MappsvilleNorth Property		Wastewater Spray Field	3.39	III Bojac loamy sand Bhb Bojac sandy loam BkA Munden sandy loam MuA Dragston sandy loam DrA	40 50 07 03

The exact location of all sites can be found in the VPA application.

The crop grown on each of the fields is fescue grass which has an annual PAN requirement of 130 lbs/acre.

Summary of Currently Approved Land Application Sites for Cull Disposal

Permittee's Name: KUZZENS, INC ., Mappsville, VA

Land Owner's Name: Steve Van Kesteren (authorized by agreement dated 09/24/14)

<u>Site Location</u>	<u>Operator & Owner</u>	<u>Field Designation*</u>	<u>Net Acres</u>	<u>Field Productivity Class for crops**</u>	<u>percent</u>
Mappsville, Accomack Co.,	Whaples Farm	Cull Application Fields	99	III Bojac loamy sand Bhb I Bojac sandy loam BkA Munden sandy loam MuA Dragston sandy loam DrA	09 68 14 10

The exact location of all sites can be found in the VPA application.

**The crops grown on each of the cull fields (wheat, soybeans & corn) can be found in the NMP.

ATTACHMENT C

Estimated Yields and Recommended Plant Available Nitrogen (PAN)
Rates for Various Non-irrigated Crops Used in Sludge Management Systems

Productivity Class	1		2		3		4	
	Yield	PAN lbs/A	Yield	PAN lbs/A	Yield	PAN lbs/A	Yield	PAN lbs/A
Crop								
Corn-Grain	160 bu/A	180	140 bu/A	160	110 bu/A	130	80 bu/A	100
Silage	24 T/A		20 T/A		15 T/A		11 T/A	
Grain sorghum	60 cwt/A	150	50 cwt/A	125	35 cwt/A	100	30 cwt/A	75
Wheat	70 bu/A	100	70 bu/A	100	70 bu/A	100	50 bu/A	75
Barley	90 bu/A	100	90 bu/A	100	90 bu/A	100	70 bu/A	80
Rye	50 bu/A	70	50 bu/A	70	50 bu/A	70	40 bu/A	50
Oats	80 bu/A	80	80 bu/A	80	80 bu/A	80	60 bu/A	60
Fescue or Orchardgrass Pasture**	*	150	*	150	*	130	*	110
Bermudagrass Pasture	*	200	*	200	*	200	--	--
Unimproved Pasture**	*	100	*	100	*	80	*	60
Fescue or Orchardgrass Hay**	4 T/A	200	4 T/A	200	3 T/A	150	2.5 T/A	125
Bermudagrass Hay**	6 T/A	350	6 T/A	350	6 T/A	350	--	--
Alfalfa***	5 T/A	300	5 T/A	300	3.5 T/A	210	2.5 T/A	150
Soybeans								
Full Season	55 bu/A	275	45 bu/A	225	35 bu/A	175	25 bu/A	125
Double Crop	40 bu/A	200	35 bu/A	175	25 bu/A	125	20 bu/A	100

* No yield estimates given for pastures, PAN rates are for optimum grass production to support given number of animal units.

** If legumes, such as clover or alfalfa, are present, they may be replaced by grasses at this nitrogen application rate.

*** At high nitrogen rates, the life of the stand may be shortened and encroachment by grasses may occur. Regardless of productivity class, alfalfa is not well suited to wet soils, even with artificial drainage.

--Indicates this crop not usually grown on soils in this productivity class.

ATTACHMENT C-1a
DEPARTMENT OF ENVIRONMENTAL QUALITY
Virginia Pollution Abatement Monitoring Report

Facility Name: Kuzzens Incorporated-Mappsville North Packing Plant
Address: 3769 Grapeland Circle
Exmore, VA 23350

VPA Permit No.: VPA01082

Report Period: From / / To / /

Monitoring Station: **Spray Irrigation Wastewater From Storage Tank**

Parameters	Units		Monitoring Results		Analysis Frequency	Sample Type
			Average	Maximum		
Flow	MGD	Reported				
		Required	NL	NL	1/Day	Measured
Total Vol. Applied	MG	Reported				
		Required	*****	NL	Monthly	Calculated
Application Rate	in/hr.	Reported				
		Required	*****	0.25	1/Application	Measured
Application Rate	in/day	Reported				
		Required	*****	1.0	1/App. Day	Measured
Application Rate	in/wk.	Reported				
		Required	*****	2.0	1/Week	Measured
PH	S.U.	Reported				
		Required	6.0 min	9.0	2/Month	Grab
Chlorides	mg/l	Reported				
		Required	NL	NL	2/Month	Grab
TDS	mg/l	Reported				
		Required	NL	NL	2/Month	Grab
TKN	mg/l	Reported				
		Required	NL	NL	2/Month	Grab
TKN	#/acre	Reported				
		Required	NL	NL	2/Month	Calculated
Nitrate-Nitrogen	mg/l	Reported				
		Required	NL	NL	2/Month	Grab
Nitrate-Nitrogen	#/acre	Reported				
		Required	NL	NL	2/Month	Calculated
Ammonia-Nitrogen	mg/l	Reported				
		Required	NL	NL	2/Month	Grab
Ammonia-Nitrogen	#/acre	Reported				
		Required	NL	NL	2/Month	Calculated
Available Phosphorus	mg/l	Reported				
		Required	NL	NL	2/Month	Grab

Name of Principal Exec. Officer or Authorized Agent / Title

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations. See 18 U.S.C. §1001 and 33 U.S.C. §1319. (Penalties under these statutes may include fines up to \$10,000 and or maximum imprisonment of between 6 months and 5 years.)

Signature of Principal Officer or Authorized Agent / Date

ATTACHMENT C-1b
DEPARTMENT OF ENVIRONMENTAL QUALITY
Virginia Pollution Abatement Monitoring Report

Facility Name: Kuzzens Incorporated-Mappsville North Packing Plant
Address: 3769 Grapeland Circle
Exmore, VA 23350

VPA Permit No.: VPA01082

Report Period: From / / To / /

Monitoring Station: **Spray Irrigation Wastewater From Storage Tank**

Parameters	Units		Monitoring Results		Frequency of Analysis	Sample Type
			Average	Maximum		
Available Phosphorus	#/acre	Reported				
		Required	NL	NL	2/Month	Calculated
Available Potassium	mg/l	Reported				
		Required	NL	NL	2/Month	Grab
Available Potassium	#/acre	Reported				
		Required	NL	NL	2/Month	Calculated
Dissolved Copper	ug/l	Reported				
		Required	NL	NL	2/Month	Grab
Dissolved Zinc	ug/l	Reported				
		Required	NL	NL	2/Month	Grab
PAN	#/acre	Reported				
		Required	NA	Attch C*	1/Month	Calculated
PAN	#/acre /year	Reported				
		Required	NA	Attch C*	1/Year	Calculated
Pesticide Scan (608)	ug/l	Reported	<i>Attach pages</i>	<i>Attach pages</i>		
		Required	NA	NL	1/year	Grab

Name of Principal Exec. Officer or Authorized Agent / Title

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations. See 18 U.S.C. §1001 and 33 U.S.C. §1319. (Penalties under these statutes may include fines up to \$10,000 and or maximum imprisonment of between 6 months and 5 years.)

Signature of Principal Officer or Authorized Agent / Date

ATTACHMENT C-2
DEPARTMENT OF ENVIRONMENTAL QUALITY
Virginia Pollution Abatement Monitoring Report

Facility Name: Kuzzens Incorporated-Mappsville North Packing Plant
Address: 3769 Grapeland Circle
Exmore, VA 23350

VPA Permit No.: VPA01082

Report Period: From ____ / ____ / ____ To ____ / ____ / ____

Monitoring Station: **Ground Water Monitoring - Well No.**

Parameters	Units		Monitoring Results		Frequency of Analysis	Sample Type
			Average	Maximum		
Static Water Level	0.01 ft	Reported				
		Required	*****	NL	1/year	Measured
pH	Std units	Reported				
		Required	*****	NL	1/year	Grab
Nitrate-Nitrogen	mg/l	Reported				
		Required	*****	NL	1/year	Grab
Total Dissolved Solids (TDS)	mg/l	Reported				
		Required	*****	NL	1/year	Grab
Chlorides	mg/l	Reported				
		Required	*****	NL	1/year	Grab
Total Organic Carbon (TOC)	mg/l	Reported				
		Required	*****	NL	1/year	Grab
Total Recoverable Copper	ug/l	Reported				
		Required	*****	NL	1/year	Grab
Total Recoverable Zinc	ug/l	Reported				
		Required	*****	NL	1/year	Grab
Pesticide Scan (608)	ug/l	Reported	Attach pages	Attach pages		
		Required	*****	NL	1/4 years	Grab

Name of Principal Exec. Officer or Authorized Agent / Title

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations. See 18 U.S.C. §1001 and 33 U.S.C. §1319. (Penalties under these statutes may include fines up to \$10,000 and or maximum imprisonment of between 6 months and 5 years.)

Signature of Principal Officer or Authorized Agent /

Date

ATTACHMENT C-3
DEPARTMENT OF ENVIRONMENTAL QUALITY
Virginia Pollution Abatement Monitoring Report

Facility Name: Kuzzens Incorporated-Mappsville North Packing Plant
Address: 3769 Grapeland Circle
Exmore, VA 23350

VPA Permit No.: VPA01082

Report Period: From ____ / ____ / ____ To ____ / ____ / ____

Monitoring Station: Soils Monitoring -Land Application Site (>10 core comp.)

Parameters	Units		Monitoring Results		Frequency of Analysis	Sample Type
			Average	Maximum		
Soil pH	SU	Reported				
		Required	NL(min)	6.5	1/Year	Composite
Available Phosphorus	mg/kg	Reported				
		Required	*****	NL	1/Year	Composite
Exchangeable Potassium	mg/kg	Reported				
		Required	*****	NL	1/Year	Composite
Total Nitrogen	mg/kg	Reported				
		Required	*****	NL	1/Year	Composite

Name of Principal Exec. Officer or Authorized Agent / Title

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations. See 18 U.S.C. §1001 and 33 U.S.C. §1319. (Penalties under these statutes may include fines up to \$10,000 and or maximum imprisonment of between 6 months and 5 years.)

Signature of Principal Officer or Authorized Agent / Date

CONDITIONS APPLICABLE TO ALL VPA PERMITS

A. Monitoring

1. Samples and measurements taken as required by this permit shall be representative of the monitored activity.
2. Monitoring shall be conducted according to procedures listed under Title 40 Code of Federal Regulations Part 136, unless other procedures have been specified in this permit.
3. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will insure accuracy of measurements.
4. Samples taken as required by this permit shall be analyzed in accordance with 1VAC30-45, Certification for Noncommercial Environmental Laboratories, or 1VAC30-46, Accreditation for Commercial Environmental Laboratories- except for the following:
 - a. Field sample testing and measurements performed at the site where the sample is taken, are not subject to the requirements of 1VAC30-45 or 1VAC30-46; and
 - b. Tests, analyses, measurements or monitoring, using protocols established pursuant to §10.1-104.2 to determine soil fertility, animal manure nutrient content, or plant tissue nutrient uptake for the purposes of nutrient management. Field sample testing and measurements performed at the site where the sample is taken, are not subject to the requirements of 1VAC30-45 or 1VAC30-46.

B. Records

1. Records of monitoring information shall include:
 - a. The date, exact place, and time of sampling or measurements;
 - b. The name of the individual(s) who performed the sampling or measurements;
 - c. The date(s) and time(s) analyses were performed;
 - d. The name of the individual(s) who performed the analyses;
 - e. The analytical techniques or methods used, with supporting information such as observations, readings, calculations and bench data; and
 - f. The results of such analyses.
2. The permittee shall retain records:
 - a. Of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all

reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years or in the case of activities regulated under Part IX of the Virginia Pollution Abatement Permit Regulation (9VAC25-32-310 et seq.), at least five years from the date of the sample, measurement, report or application. This period of retention may be extended by request of the Board at any time.

- b. Related to biosolids data and information specified in agreements between generator, owner, agents, landowners and farmers. These records shall be described and maintained for a minimum period of five years or the duration of the permit or subsequent revisions if longer than five years.

C. Reporting Monitoring Results

- 1. The permittee shall submit the results of the monitoring required by this permit not later than the 10th day of the month after the monitoring takes place, unless another reporting schedule is specified elsewhere in this permit. Monitoring results shall be submitted to:

Department of Environmental Quality (DEQ)
5636 Southern Boulevard
Virginia Beach, Virginia 23462

- 2. Monitoring results shall be reported on forms provided or specified by the Department.
- 3. If the permittee monitors the pollutant management activity, at a sampling location specified in this permit, for any pollutant more frequently than required by the permit using approved analytical methods, the permittee shall report the results of this monitoring on the monitoring report.
- 4. If the permittee monitors the pollutant management activity, at a sampling location specified in this permit, for any pollutant that is not required to be monitored by the permit, and uses approved analytical methods, the permittee shall report the results with the monitoring report.
- 5. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

D. Duty to Provide Information

The permittee shall furnish to the Department, within a reasonable time, any information which the Board may request to determine whether cause exists for modifying, revoking and reissuing, terminating this permit, or to determine compliance with this

permit. The permittee shall also furnish to the Department, upon request, copies of records required to be kept by the permittee. Plans, specifications, maps, conceptual reports and other relevant information shall be submitted as requested by the Board prior to commencing construction.

E. Compliance Schedule Reports

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

F. Unauthorized Discharges

Except in compliance with this permit, or another permit issued by the Board, it shall be unlawful for any person to:

1. Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances; or
2. Otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, or to animal or aquatic life, or to the use of such waters for domestic or industrial consumption, or for recreation, or for other uses.

G. Reports of Unauthorized Discharges

Any permittee who discharges or causes or allows a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance into or upon state waters in violation of Part II F; or who discharges or causes or allows a discharge that may reasonably be expected to enter state waters in violation of Part II F, shall notify the Department of the discharge immediately upon discovery of the discharge, but in no case later than 24 hours after said discovery. A written report of the unauthorized discharge shall be submitted to the Department, within five days of discovery of the discharge. The written report shall contain:

1. A description of the nature and location of the discharge;
2. The cause of the discharge;
3. The date on which the discharge occurred;
4. The length of time that the discharge continued;
5. The volume of the discharge;
6. If the discharge is continuing, how long it is expected to continue;
7. If the discharge is continuing, what the expected total volume of the discharge will be; and
8. Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present discharge or any future discharges not authorized by this permit.

Discharges reportable to the Department under the immediate reporting requirements of other regulations are exempted from this requirement.

H. Reports of Unusual or Extraordinary Discharges

If any unusual or extraordinary discharge including a bypass or upset should occur from a treatment works and the discharge enters or could be expected to enter state waters, the permittee shall promptly notify, in no case later than 24 hours, the Department by telephone after the discovery of the discharge. This notification shall provide all available details of the incident, including any adverse affects on aquatic life and the known number of fish killed. The permittee shall reduce the report to writing and shall submit it to the Department within five days of discovery of the discharge in accordance with Part II I 2. Unusual and extraordinary discharges include but are not limited to any discharge resulting from:

1. Unusual spillage of materials resulting directly or indirectly from processing operations;
2. Breakdown of processing or accessory equipment;
3. Failure or taking out of service some or all of the treatment works; and
4. Flooding or other acts of nature.

I. Reports of Noncompliance

The permittee shall report any noncompliance which may adversely affect state waters or may endanger public health.

1. An oral report shall be provided within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which shall be reported within 24 hours under this paragraph:
 - a. Any unanticipated bypass; and
 - b. Any upset which causes a discharge to surface waters.
2. A written report shall be submitted within 5 days and shall contain:
 - a. A description of the noncompliance and its cause;
 - b. The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
 - c. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

The Board may waive the written report on a case-by-case basis for reports of noncompliance under Part II I if the oral report has been received within 24 hours and no adverse impact on state waters has been reported.

3. The permittee shall report all instances of noncompliance not reported under Parts II I 1 or 2, in writing, at the time the next monitoring reports are submitted. The reports shall contain the information listed in Part II I 2.

NOTE: The immediate (within 24 hours) reports required in Parts II G, H and I may be made to the Department's Regional Office at (757) 518-2000 (voice), and online

<http://www.deq.virginia.gov/Programs/PollutionResponsePreparedness/PollutionReportingForm.aspx>.

For reports outside normal working hours, leave a message and this shall fulfill the immediate reporting requirement. For emergencies, the Virginia Department of Emergency Management maintains a 24 hour telephone service at 1-800-468-8892.

J. Notice of Planned Changes

1. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the design or operation of the pollutant management activity.
2. The permittee shall give at least 10 days advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

K. Signatory Requirements

1. Applications. All permit applications shall be signed as follows:
 - a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
 - b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
 - c. For a municipality, state, federal, or other public agency: By either a principal executive officer or

ranking elected official. For purposes of this section, a principal executive officer of a public agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

2. Reports, etc. All reports required by permits, and other information requested by the Board shall be signed by a person described in Part II K 1, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described in Part II K 1;
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and
 - c. The written authorization is submitted to the Department.
3. Changes to authorization. If an authorization under Part II K 2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part II K 2 shall be submitted to the Department prior to or together with any reports, or information to be signed by an authorized representative.
4. Certification. Any person signing a document under Parts II K 1 or 2 shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

L. Duty to Comply

The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the State Water Control Law. Permit noncompliance is grounds for enforcement

action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. Compliance with a permit during its term constitutes compliance, for purposes of enforcement, with the State Water Control Law.

M. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee shall apply for and obtain a new permit. All permittees with a currently effective permit shall submit a new application at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Board. The Board shall not grant permission for applications to be submitted later than the expiration date of the existing permit.

N. Effect of a Permit

This permit does not convey any property rights in either real or personal property or any exclusive privileges, nor does it authorize any injury to private property or invasion of personal rights, or any infringement of federal, state or local law or regulations.

O. State Law

Nothing in this permit shall be construed to preclude the institution of any legal action under, or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any other state law or regulation or under authority preserved by Section 510 of the Clean Water Act. Except as provided in permit conditions on "bypassing" (Part II U), and "upset" (Part II V) nothing in this permit shall be construed to relieve the permittee from civil and criminal penalties for noncompliance.

P. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Sections 62.1-44.34:14 through 62.1-44.34:23 of the State Water Control Law.

Q. Proper Operation and Maintenance

The permittee shall be responsible for the proper operation and maintenance of all treatment works, systems and controls which are installed or used to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective plant performance, adequate funding, adequate staffing, and adequate laboratory and process controls, including appropriate quality assurance procedures.

R. Disposal of Solids or Sludges

Solids, sludges or other pollutants removed in the course of treatment or management of pollutants shall be disposed of in a manner so as to prevent any pollutant from such materials from entering state waters.

S. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any pollutant management activity in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

T. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

U. Bypass

1. Prohibition - Bypass means intentional diversion of waste streams from any portion of a treatment works. A bypass of the treatment works is prohibited except as provided herein.
2. Anticipated Bypass - If the permittee knows in advance of the need for a bypass, he shall notify the Department promptly at least 10 days prior to the bypass. After considering its adverse effects the Board may approve an anticipated bypass if:
 - a. The bypass will be unavoidable to prevent loss of human life, personal injury, or severe property damage ("Severe Property Damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production); and
 - b. There are no feasible alternatives to bypass such as the use of auxiliary treatment facilities, retention of untreated waste, or maintenance during normal periods of equipment downtime. However, if bypass occurs during normal periods of equipment downtime or preventive maintenance and in the exercise of reasonable engineering judgment the permittee could have installed adequate backup equipment to prevent such bypass, this exclusion shall not apply as a defense.
3. Unplanned Bypass - If an unplanned bypass occurs, the permittee

shall notify the Department as soon as possible, but in no case later than 24 hours, and shall take steps to halt the bypass as early as possible. This notification will be a condition for defense to an enforcement action that an unplanned bypass met the conditions in paragraphs U 2 a and b and in light of the information reasonably available to the permittee at the time of the bypass.

V. Upset

A permittee may claim an upset as an affirmative defense to an action brought for noncompliance. In any enforcement proceedings a permittee shall have the burden of proof to establish the occurrence of any upset. In order to establish an affirmative defense of upset, the permittee shall present properly signed, contemporaneous operating logs or other relevant evidence that shows:

1. That an upset occurred and that the cause can be identified;
2. That the permitted facility was at the time being operated efficiently and in compliance with proper operation and maintenance procedures;
3. That the 24-hour reporting requirements to the Department were met; and
4. That the permittee took all reasonable steps to minimize or correct any adverse impact on state waters resulting from noncompliance with the permit.

W. Inspection and Entry

Upon presentation of credentials, any duly authorized agent of the Board may, at reasonable times and under reasonable circumstances:

1. Enter upon any permittee's property, public or private and have access to records required by this permit;
2. Have access to, inspect and copy any records that must be kept as part of permit conditions;
3. Inspect any facility's equipment (including monitoring and control equipment) practices or operations regulated or required under the permit; and
4. Sample or monitor any substances or parameters at any locations for the purpose of assuring permit compliance or as otherwise authorized by the State Water Control Law.

For purposes of this section, the time for inspection shall be deemed reasonable during regular business hours, and whenever the facility is involved in managing pollutants. Nothing contained herein shall make an inspection unreasonable during an emergency.

X. Permit Actions

Permits may be modified, revoked and reissued, or terminated for cause upon the request of the permittee or interested persons, or

upon the Board's initiative. If a permittee files a request for a permit modification, revocation, or termination, or files a notification of planned changes, or anticipated noncompliance, the permit terms and conditions shall remain effective until the request is acted upon by the Board. This provision shall not be used to extend the expiration date of the effective VPA permit.

Y. Transfer of Permits

1. Permits are not transferable to any person except after notice to the Department. The Board may require modification or revocation and reissuance of the permit to change the name of the permittee and to incorporate such other requirements as may be necessary. Except as provided in Part II Y 2, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified to reflect the transfer or has been revoked and reissued to the new owner or operator.
2. As an alternative to transfers under Part II Y 1, this permit shall be automatically transferred to a new permittee if:
 - a. The current permittee notifies the Department at least 30 days in advance of the proposed transfer of the title to the facility or property;
 - b. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
 - c. The Board does not, within the 30-day time period, notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit.

Z. Severability

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.